

HEWLETT-PACKARD COMPANY  
INTELLECTUAL PROPERTY ADMINISTRATION  
P.O. Box 272400  
FORT COLLINS, COLORADO 80527-2400

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PATENT APPLICATION  
ATTORNEY DOCKET NO. 10001227-1

MAY 13 2005 9:07

IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s): Robert G. Gann  
Confirmation No.: 1161  
Application No.: 09/626,625  
Examiner: Safalpour, Houshang  
Filing Date: July 27, 2000  
Group Art Unit: 2622  
Title: Method and System for Calibrating a Look-Down Linear Array Scanner Utilizing a Folded Optical Path

Mail Stop: 16  
Director of the US Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450

**REQUEST FOR REFUND**  
**IMPROPER CHARGE OF DEPOSIT ACCOUNT**

Sir:

**I. REFUND REQUEST**

This is a request for a refund in the amount of \$320.00, with respect to the charge to Deposit Account No. 08-2025, shown on the statement dated 1-31-2005 for the above identified patent application.

(X) A copy of the monthly statement, in which the error referred to occurs, accompanies this request.

**II. FEES CHARGED FOR WHICH REFUND IS REQUESTED**

Fee Code 1252 - Extension for response within second month.

**III. EXPLANATION OF WHY CONTESTED CHARGE IS IN ERROR**

9/8/2004 - HP filed a Response to Final Office Action, within two month deadline.  
11/4/2004 - Advisory Action mailed from the USPTO, Examiner indicated incorrect deadline date for response. According to MPEP 706.07(f), reply period 'b' should have been indicated on the Advisory Action.  
12/1/2004 - Supplemental Advisory Action mailed from the USPTO corrected deadline for response.  
12/6/2004 - HP filed a Notice of Appeal in Response to the Advisory Action.  
12/8/2004 - USPTO correctly charged HP's Deposit Account for Fee 1401: Notice of Appeal and Fee 1251: Extension for response within first month.  
1/14/2005 - USPTO incorrectly charged additional Extension Fee 1252: Extension for response within second month.

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A two month extension fee is not appropriate in this case. Since the deadline for filing a response to the Advisory Action, with a one month extension of time, 12/04/2004, fell on a Saturday, filing the response on the following Monday, 12/06/2004, is acceptable and considered as filed during the one month extension period. Additionally, the two month extension fee charged on 1/14/2005 is in addition to the correctly charged one month extension fee on 12/8/2004.

IV. **MANNER OF REFUND**

Please make refund of \$320.00 crediting Account No. 08-2025.

Certificate of Mailing by Facsimile

I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number (703) 872-9306 on

5/11/05

Carrie McKerley

By:

Typed Name: Carrie McKerley

Respectfully submitted,



Phillip S. Lyren  
Attorney/Agent for Applicant(s)  
Reg. No. 40,709  
Telephone No.: (281) 514-8236

Date: May 2, 2005



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents  
United States Patent and Trademark Office  
P.O. Box 1450  
Alexandria, VA 22313-1450  
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MONTHLY STATEMENT  
OF DEPOSIT ACCOUNT

To replenish your deposit account, detach and  
return top portion with your check. Make check  
payable to Director of Patents & Trademarks.

HEWLETT-PACKARD COMPANY  
ATTN: CATHIE GROW/SHARON LEVERENZ  
INTELLECTUAL PROPERTY ADMINIS. M/S 35  
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FT. COLLINS CO 80527-2400

FINA

Account No.	082025
Date	1-31-05
Page	22

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Chicago, IL 60673

DATE POSTED DAY YR.	CONTROL NO.	DESCRIPTION (Serial, Patent, TM, Order)	DOCKET NO.	FEE CODE	CHARGES/ CREDITS	BALANCE
13 05	169	11032346	200308239-2	1111	500.00	611044.40
13 05	170	11032346	200308239-2	1311	200.00	610844.40
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14 05	48	11032753	200314323-2	1011	300.00	601538.40

AN AMOUNT SUFFICIENT TO

[OPENING BALANCE] TOTAL CHARGES TOTAL CREDITS CLOSING BALANCE

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IN THE  
UNITED STATES PATENT AND TRADEMARK OFFICE

Robert G. Gann

Confirmation No.: 1161

Application No.: 09/626,625

Examiner: H. Safaipour

Filing Date: 07/27/2000

Group Art Unit: 2622

Title: METHOD AND SYSTEM FOR CALIBRATING A LOOK-DOWN LINEAR ARRAY SCANNER  
UTILIZING A FOLDED OPTICAL PATH

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PO Box 1450  
Alexandria, VA 22313-1450

NOTICE OF APPEAL FROM THE EXAMINER TO THE  
BOARD OF PATENT APPEALS AND INTERFERENCES

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated 11/04/2004, rejecting the following claims 1, 3, 4, 6-8, 10-11, 13-22, 24, 26, 27.  
The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$340.00.

(complete (a) or (b) as applicable)

The proceedings herein are for a patent application and the provisions of 37 CFR 1.136(a) apply.

(X) (a) Applicant petitions for an extension of time under 37 CFR 1.136 (fees: 37 CFR 1.17(a)-(d) for the total number of months checked below:

(X) one month	\$110.00	12/08/2004 SSITHI81 00000047 082025 09626625
( ) two months	\$430.00	01 FC:1401 340.00 DA
( ) three months	\$980.00	02 FC:1251 110.00 DA
( ) four months	\$1530.00	

( ) The extension fee has already been filed in this application.

( ) (b) Applicant believes that no extension of time is required. However, this conditional petition is being made to provide for the possibility that applicant has inadvertently overlooked the need for a petition and fee for extension of time.

Please charge to Deposit Account 08-2025 the sum of \$450.00. At any time during the pendency of this application, please charge any fees required or credit any over payment to Deposit Account 08-2025 pursuant to 37 CFR 1.25. Additionally please charge any fees to Deposit Account 08-2025 under 37 CFR 1.16 through 1.21 inclusive, and any other sections in Title 37 of the Code of Federal Regulations that may regulate fees. A duplicate copy of this sheet is enclosed.

(X) I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail, Label No. EV 482740280US addressed to: Commissioner for Patents, Alexandria, VA 22313-1450  
Date of Deposit: December 6, 2004  
OR

( ) I hereby certify that this paper is being transmitted to the Patent and Trademark Office facsimile number \_\_\_\_\_ on \_\_\_\_\_

Number of pages:

Typed Name: Phyllis Ewing

Signature: Phyllis Ewing

Rev 10/04 (Notice of Appeal)

Respectfully submitted,

Robert G. Gann

By Jody C. Bishop

Jody C. Bishop

Attorney/Agent for Applicant(s)

Reg. No. 44,034

Date: Dec. 6, 2004

Telephone No.: (214) 855-8007

01/14/2005 KDAV15 00000007 082025 09626625

01 FC:12:02 320.00 DA

Statement Date: 06/21/2005 SDIRET01  
1/2005 KDAV15 00000007 082025 09626625  
1252 320.00 CR